

REMARKS

Claims 12-14 are now pending herein.

Applicant thanks the Examiner for granting the telephone interview of July 12, 2006 with applicant's representative. In the Interview, claim 12 substantially as stated herein was discussed. Applicant's representative explained how the armored plate is separate from the hatch cover. Thus, because neither Sprafke nor Adlam discloses an armored plate that rotates over the hatch cover, the Examiner stated that new claim 12 would overcome the rejections over those references. With respect to Kazanjian, the Examiner noted that wheels 11 have spokes 12 and gaps between the spokes, and suggested that as the wheels rotate, these spokes and gaps could cover and uncover hatch 40. Applicant's representative argued that the spokes did not cover the entire hatch cover as claimed by applicant because the spokes, shown in Kazanjian's Figure 3, are more narrow than hatch 40. The Examiner stated he would consider the arguments further when presented with the claim in the present amendment.

1. Applicant has cancelled claim 11 mooted its rejection under 35 U.S.C. §112.
2. Claims 1-3 and 7-11 were rejected under 35 U.S.C. §102(b) over Sprafke U.S. Patent 4,587,880. Claims 1-3 and 7-11 have been cancelled without prejudice or disclaimer.

Sprafke discloses an armored vehicle that has a hatch 2 covered with a hatch cover 16. Hatch cover 16 is mounted to a shaft 18 via arm 17. Hatch cover 16 is moved from hatch 2 by pushing shaft 18 up and then rotating shaft 18, thereby lifting hatch cover 16 from the hatch 2

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and rotating it away from hatch 2. However, Sprafke does not disclose an armored plate that rotates over and covers the hatch cover as claimed by applicant.

For all of the foregoing reasons, Sprafke does not disclose all elements of applicant's claimed invention, and therefore is not a proper basis for a §102(b) rejection thereof. Nor is there any disclosure or teaching in Sprafke that would have suggested applicant's claimed invention to one of ordinary skill in this art. Thus reconsideration and withdrawal of this rejection, and allowance of all claims are respectfully requested.

3. Claims 1-11 were rejected under 35 U.S.C. §102(b) over Kazanjian U.S. Patent 2,078,079. Claims 1-11 were cancelled without prejudice or disclaimer.

Kazanjian discloses three horizontal wheels 11 positioned on a ship. Each of these wheels 11 is comprised of spokes 12 connected to a hub 13. The wheels rotate about shafts 14. Figure 3 shows a wheel 21 over a hatch 40. Note that each of the spokes 27 has a width less than the width of hatch 40. Kazanjian's spokes cannot cover the entire hatch cover 40. Thus, Kazanjian does not disclose a first armored plate covering the entire first hatch cover as claimed by applicants.

For all of the foregoing reasons, Kazanjian does not disclose all elements of applicant's claimed invention, and therefore is not a proper basis for a §102(b) rejection thereof. Nor is there any disclosure or teaching in Kazanjian that would have suggested applicant's claimed invention

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to one of ordinary skill in this art. Thus reconsideration and withdrawal of this rejection, and allowance of all claims are respectfully requested.

4. Claim 4-6 were rejected under 35 U.S.C. §103(a) over Sprafke in view of Adlam et al. U.S. Patent 4,671,162. Claims 4-6 were cancelled without prejudice or disclaimer, thereby mooting this rejection.

With respect to claim 12, Adlam does not supply what is lacking in Sprafke. Adlam discloses a protective box for an explosive line launcher, but does not disclose an armored plate that rotates to cover the entire hatch cover as claimed by applicant in claim 12.

For all of the foregoing reasons, there is no disclosure or teaching in Sprafke or Adlam that would have suggested applicant's claimed invention to one of ordinary skill in this art. Further, there is no disclosure or teaching in either Sprafke or Adlam that would have suggested the desirability of combining any portions thereof effectively to anticipate or suggest applicant's claimed invention. Withdrawal of this rejection and allowance of all claims are therefore respectfully requested.


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Accordingly, the application is now in condition for allowance and a notice to that effect is respectfully requested. The PTO is hereby authorized to charge/credit any fee deficiencies or overpayments to Deposit Account No. 19-4293 (Order No. 28971.0124). If further amendments would place this application in even better condition for issue, the Examiner is invited to call applicant's undersigned attorney at the number listed below.

Respectfully submitted,

STEPTOE & JOHNSON LLP

Date: July 14, 2006

  
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